

**SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING & REGULATION  
BEFORE THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS**

IN THE MATTER OF:

**WALTER K. HERRON, D.V.M.**  
License No. VET.1085

OIE # 2013-69

**FINAL ORDER**

Respondent.

This matter came before the South Carolina State Board of Veterinary Medical Examiners ("Board") for hearing on February 26, 2015, to consider the Memorandum of Agreement and Stipulations signed by the above named ("Respondent") on February 20, 2015 ("MOA"). In the MOA, Respondent waived the authorization and filing of a Formal Complaint as well as formal hearing procedures and elected to dispose of the matter pursuant to S.C. Code Ann. § 1-23-320(F)(2005, as amended). Respondent also waived the right to thirty (30) days notice of this proceeding.

A quorum of the Board was present. The hearing was held pursuant to S.C. Code Ann. §§40-1-90, 40-69-190 (2011) and the provisions of the Administrative Procedures Act, S.C. Code Ann. §1-23-10, *et seq.* (2005, as amended) to determine what sanctions, if any, were appropriate.

Erin G. Baldwin, Assistant Disciplinary Counsel, represented the State. Respondent appeared and was represented by Suzanne Hawkins, Esquire.

The Board considered the facts stipulated in MOA, exhibits to the MOA (including the patient record for the dog Beau), the admissions of violations in the MOA, the testimony of Respondent, and the September 4, 2014, Affidavit of Pleas C. Faglie, Investigator, Office of Investigations and Enforcement, South Carolina Department of Labor Licensing and Regulation, of a good faith estimate of investigative costs of \$ 120.00 in this matter.

After consideration, the Board voted to accept the MOA, with the sanctions specified in this Order.

**FINDINGS OF FACT**

Respondent stipulated in the MOA to the facts stated in paragraphs 1-2 below, which the Board adopts.

1. Respondent admits that he is licensed to practice veterinary medicine in the State of South Carolina under license number VET.1085, first licensed by the Board on June 26, 1986. Respondent admits that he was so licensed at all times relevant to the matters asserted in this case and that the Board has jurisdiction over this matter.

2. Respondent admits that on or about May 21, 2011, Respondent saw a dog, named "Beau" and administered a rabies vaccine and DHLPP. Respondent also administered a heartworm test with negative results and prescribed and dispensed Heartgard. Beau was presented again a year later on May 14, 2012, and was administered a rabies vaccine, DHLPP, and Depo Medrol. Respondent performed a limited physical examination of the dog at each visit, but did not perform a complete physical examination.

3. Respondent waived any further findings of fact with respect to this matter.

4. In addition to the facts admitted in the MOA, the Board finds that the State incurred reasonable costs of investigation and prosecution in this matter in the amount of \$120.00.

### **CONCLUSIONS OF LAW**

1. The Board has jurisdiction over Respondent and this matter.

2. The aforementioned acts of Respondent violated the following provisions of the Veterinary Practice Act, S.C. Code Ann. §40-1-110 or regulations of the Board:

S.C. Code Ann. § 40-69-110(A)(1) in that Respondent violated a regulation promulgated by the Board, specifically, South Carolina Code of Regulations R. 120-(8)(B) regarding recordkeeping requirements for the animal's medical record, which was insufficient documentation of the animal's condition.

3. Upon a finding by the Board that a licensee has committed any of the acts or omissions specified in S.C. Code Ann. §§ 40-1-110 and 40-69-110 (2011) or other conditions specified therein exist, the Board has the authority to revoke or suspend a license or registration certificate, publicly reprimand a licensee, or take any other reasonable action short of revocation or suspension, such as probation, restrictions requiring the person to undertake additional professional training subject to the direction and approval of the Board, psychiatric evaluations, controlled substances restrictions, institutional practice under supervision, and any other actions considered appropriate by the Board. In addition to or instead of such actions affecting the license of a licensee or registration of a registrant, the Board may impose a civil penalty of up to

One Thousand Dollars for each violation. S.C. Code Ann. §§ 40-69-120 (2011). In addition to other sanctions, a licensee found in violation of the applicable licensing act may be directed to pay a sum not to exceed the reasonable costs of the investigation and prosecution of the case. S.C. Code Ann. §40-1-170 (2011).

4. The Board has determined it appropriate to impose the sanctions stated below.

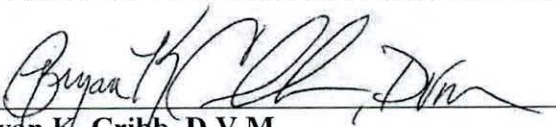
**NOW, THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED** that:

1. The Board accepts the Memorandum of Agreement and Stipulations signed by the Respondent.
2. Respondent is hereby publicly reprimanded.
3. Respondent is assessed a civil penalty of Five Hundred Dollars (\$500.00) payable within six months of the date of this Order.
4. Respondent is assessed costs of One Hundred Twenty Dollars (\$120.00) payable within six months of the date of this Order.

**AND IT IS SO ORDERED.**

**STATE BOARD OF VETERINARY EXAMINERS**

BY:

  
Bryan K. Cribb, D.V.M.  
Board Chair

May 20, 2015